

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

FLEET ENGINEERS, INC.,)	
Plaintiff,)	
)	No. 1:12-cv1143
-v-)	
)	Honorable Paul L. Maloney
MUDGUARD TECHNOLOGIES, LLC and)	
TARUN SURTI,)	
Defendants.)	
)	

ORDER ESTABLISHING DAMAGES

The Court held a trial in this lawsuit which ended on October 6, 2021. The jury returned a verdict in favor of Tarun Surti on his counterclaim for patent infringement against Fleet Engineers. (ECF No. 370.)

The parties offered competing testimony concerning damages. Mr. Surti testified that Fleet Engineers realized approximately \$9 million in revenue from sales of the allegedly infringing products. Fleet Engineers' damages expert, Philip Kline, testified that a reasonable royalty for Fleet Engineers would have been about 3 to 4 percent, which would still have generated a normal level of profit. Mr. Kline also testified that the \$9 million in total revenue included both the products with the vertical vanes (Group A) and the products without the vertical vanes (Group B). Through Mr. Surti's cross examination of Mr. Kline, the jury was informed that to total sales of Group A products was \$5.7 million.

The jury found that one line of products (Group A) manufactured by Fleet Engineers directly infringed Mr. Surti's patent, violating all six of the patent claims in dispute. For

damages, the jury found that Mr. Surti was not entitled to lost profits. The jury awarded Mr. Surti a royalty based 4% of the gross sales of Fleet Engineers' Group A products.

Applying the four percent royalty rate determined by the jury, Mr. Surti is entitled to \$228,000 in damages. The Court will enter a judgment in that amount. **IT IS SO ORDERED.**

Date: October 19, 2021

/s/ Paul L. Maloney
Paul L. Maloney
United States District Judge